3845

BILL NO. Z-77-11-02

ZONING MAP ORDINANCE NO. Z-02-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N19.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby PERFECTED TO AN "R3" District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. N19, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots # 35, 49, 50, 51, 52, 53, & 54 Southern Heights Addition.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

APPROVED AS TO FORM AND LEGALITY,

CITY ATTORNEY

3845

BILL NO. Z-77-11-02.

ZONING MAP ORDINANCE NO. Z-02-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N19.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated B 1 A District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. N19, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots # 35, 49, 50, 51, 52, 53, & 54 Southern Heights Addition.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

APPROVED AS TO FORM
AND LEGALITY,
CITY ATTORNEY

Read the first time in full and on motion by J. Schmidt, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) ~~and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19__, at _____ o'clock _____ M., E.S.T.~~

DATE: 11-8-77

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by D. Schmidt, seconded by Hinga, and duly adopted, placed on its passage.

PASSED ~~(LOST)~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	6	2	1		
BURNS	~~X~~	X			
HINGA	X				
HUNTER	X				
MOSES			X		
NUCKOLS	X				
SCHMIDT, D.	X				
SCHMIDT, V.	X				
STIER		X			
TALARICO	X				

DATE: 1-24-78

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) ~~(ANNEXATION) (SPECIAL) (APPROPRIATION)~~ ORDINANCE ~~(RESOLUTION)~~ No. 3-02-78 on the 24th day of January, 1978

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A. M., E.S.T.

Robert E. Armstrong
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 8, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-11-02; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 21, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be PERFECTED TO AN "R3" WITH A DO PASS, for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

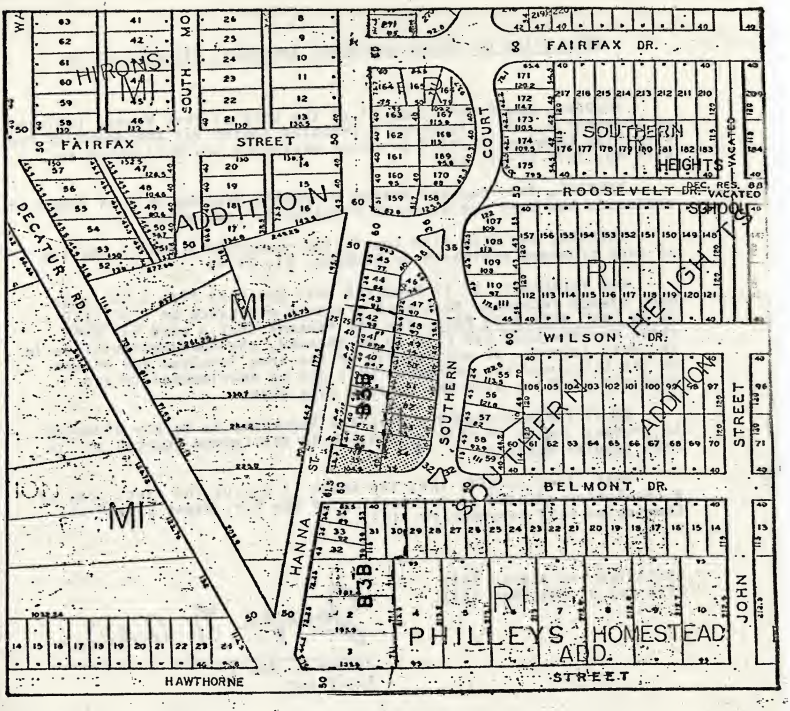
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 28, 1977.

Certified and signed this
29th day of November 1977.

Joseph N. Adair

Joseph N. Adair
Secretary



REZONE FROM RI T.O BIA

MAP NO. N19

Z-77-11-02

BY M.F.C. 10-20-77

N

Bill No. Z-77-11-02

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. N19

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance Do PASS.

VIVIAN G. SCHMIDT - CHAIRMAN — Vivian G. Schmidt

JOHN NUCKOLS - VICE CHAIRMAN — John Nuckols

WILLIAM T. HINGA

DONALD J. SCHMIDT — D J Schmidt

JAMES S. STIER

1-24-78 CONCURRED IN
DATE CHARLES W. WESTERMAN, CITY CLERK

BUSINESS FORM—PRODUCT OF WILSON JONES

GrayLine

RECEIPT Date Oct 19 77 No. 10058

Received From Ft. Wayne Bank · Executor

Address

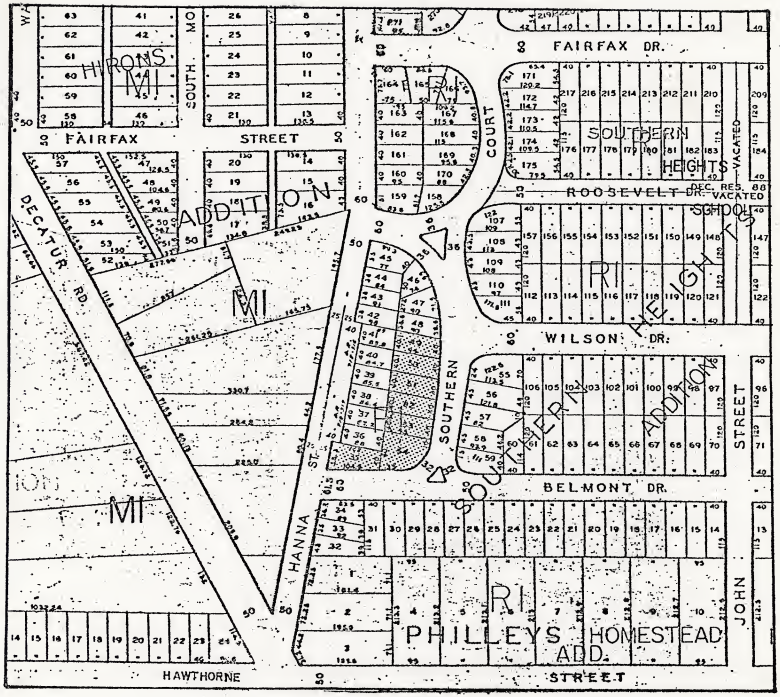
Fifty Dollars $ 50.00

For Rezoning - Lot # 35-49 thru 54 Southern Heights

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT	50	—	CASH		
AMT. PAID	50	—	CHECK	#030087	
BALANCE DUE			MONEY ORDER		

COMMUNITY DEVELOPMENT AND PLANNING
DIVISION OF LONG RANGE PLANNING
AND ZONING
CITY-COUNTY BUILDING
ONE MAIN STREET

By



REZONE FROM RI T.O ~~BIA~~ R3

MAP NO. N19

N

BY M.F.C. 10-20-77

PETITION FOR ZONING ORDINANCE AMENDMENT Receipt No. ___

Date Filed ___

Intended Use ___

I/We FORT WAYNE NATIONAL BANK, EXECUTOR for the Estate of Helen A. Moses
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R1 District to a/an B1A District the property described as follows:

Lots # 35, 49, 50, 51, 52, 53, & 54 Southern Heights Addition

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

FORT WAYNE NATIONAL BANK, EXECUTOR for the estate of Helen A. Moses
By: Robert Maple

ROBERT MAPLE (Name) | 110 W Berry St FW Ind 46802 (Address & Zip Code) | Robert Maple (Signature)

(If additional space is needed, use reverse side)

Legal Description checked by ___

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: $50.00)

Name and address of the preparer, attorney or agent.

John Hoffman (Name) | 1212 Anthony Wayne Bank Bldg. / 46802 (Address & Zip code) | 423-3331 (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

NUMBER ASSIGNED BY BILL SALIN'S OFFICE: # 3845 Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE ZONING MAP AMENDMENT ORDINANCE. 3-77-11-02

DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE PETITIONERS ARE REQUESTING THE REZONING OF THE FOLLOWING DESCRIBED PROPERTY: LOTS # 35, 49,50, 51, 52, 53 AND 54 SOUTH HEIGHTS ADDITION, GENERALLY LOCATED ON THE NORTH SIDE OF BELMONT DRIVE AND ON THE EAST SIDE OF SOUTHERN COURT. FROM "R1" TO "B1A"

EFFECT OF PASSAGE PROPERTY IS PRESENTLY ZONED "R1" - SINGLE FAMILY RESIDENTIAL. PETITIONERS ARE REQUESTING A "B1A" DISTRICT - LIMITED BUSINESS.

EFFECT OF NON-PASSAGE PROPERTY WOULD REMAIN "R1"

MONEY INVOLVED (Direct Costs, Expenditures, Savings) NONE

ASSIGNED TO COMMITTEE (J.N.) _____

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

February 1, 1978

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, In 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of February 6 and February 13, 1978, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Zoning Map Ordinance No. Z-02-78
Bill No. Z-77-11-02

General Ordinance No. G-78-01-20
Bill No. G-03-78

Please send us 10 (ten) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 2

© F.W.B.C. 1974

LEGAL NOTICE
OF THE COMMON COUNCIL, FORT WAYNE, INDIANA

Notice is hereby given that on the 24th day of January, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-78-01-20 -- GENERAL ORDINANCE NO. G-03-78, being AN ORDINANCE changing Councilmatic District from No. 3 to Councilmatic District No. 4 for the area described in Annexation Ordinance No. X-09-68.

Notice is hereby given that on the 24th day of January, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. Z-77-11-02 -- ZONING MAP ORDINANCE NO. Z-02-78, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N19

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that Bill No. G-78-01-20 -- GENERAL ORDINANCE NO. G-03-78 and that Bill No. Z-77-11-02 -- ZONING MAP ORDINANCE NO. Z-02-78, was passed by the Common Council on the 24th day of January, 1978, and that said Ordinances were duly signed and approved by the Mayor on the 31st day of January, 1978, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 31st day of January, 1978.

Charles W. Westerman

Charles W. Westerman
City Clerk

Copies of said Bill No. G-78-01-20 -- General Ordinance No. G-03-78 and Bill No. Z-77-11-02 -- Zoning Map Ordinance No. Z-02-78, are posted in the following public places in Fort Wayne, Allen County, Indiana.

(1) The main floor lobby of the City-County Building

(2) The bulletin board in the lobby at the east door of the Allen County Court House

(3) The bulletin board in the lobby of the Downtown Fort Wayne Public Library

Copies of said Bill No. G-78-01-20 -- General Ordinance No. G-03-78 and Bill No. Z-77-11-02 -- Zoning Map Ordinance No. Z-02-78, are also available for reading in the following public places in Fort Wayne, Indiana.

(4) The Reference Room in the north end of the main floor in said Downtown Public Library

(5) The Journal of the Common council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana.

Charles W. Westerman

Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinance in the designated places as stated above on February 6, 1978

Charles W. Westerman

Charles W. Westerman, City Clerk

Form Prescribed by State Board of Accounts — General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne (Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines		
Head	number of lines	2
Body	number of lines	74
Tail	number of lines	1
	Total number of lines in notice	77

COMPUTION OF CHARGES

77 lines, 1 columns wide equals 77 equivalent lines at .2594 cents per line — $ 19.96

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) — 4.00

TOTAL AMOUNT OF CLAIM — $ 23.96

DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

provision and penalties of Ch. 89, Acts 1967,

hat the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just
o part of the same has been paid.

Arvilla DeWald

Title CLERK

13, 19 78

OF THE COMMON COUNCIL,
FORT WAYNE, INDIANA

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WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 31st day of January, 1978.

Charles W. Westerman
City Clerk

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Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinance in the designated places as stated above on February 6, 1978.

Charles W. Westerman, City Clerk

2-6-13

ACH COPY OF
TISEMENT HERE

PUBLISHER'S AFFIDAVIT

State of Indiana, ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city (town) of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 6, the dates of publication being as follows:

2/6-13/78

Arvilla DeWald

Subscribed and sworn to before me this 13th day of February 19 78

Notary Public

My commission expires September 26, 1979

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

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Additional charge for notices containing rule or tabular work (50 per cent of above amount) —

Charge for extra proofs of publication (50 cents for each proof in excess of two) — 4.00

TOTAL AMOUNT OF CLAIM — $ 23.94

DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date February 13, 1978

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city/town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 6, the dates of publication being as follows:

2/6-13/78

Arvilla DeWald

Subscribed and sworn to before me this 13th day of February 1978

Notary Public

My commission expires Septemb er 28, 1979

...CH COPY OF
...SEMENT HERE

...hods of abortion. "Induce...
...ce.
...g in their journals. Follow-
...ength vocabulary. "Hull
...p golf balls. You have to
...ing grimaced. "Not partic...
...nk it was a good decision."
...d abortion legal. "What do
...he described the U.S. Supre
...y out and throw it away," he
...During a Caesarean-section
...ose is to cause an infection th
...parts to reassemble the baby
...s. It disassembles the baby
...

Ge... Bill No. Z-77-11-02 — Zoning Map Ordinance No. Z-02-78, are also available for reading in the following public places in Fort Wayne, Indiana:

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Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinance in the designated places as stated above on February 6, 1978.

Charles W. Westerman, City Clerk
2—6-13

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

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t no part of the same has been paid.

V.E. Gerken

Title CLERK

OF THE COMMON COUNCIL,
FORT WAYNE, INDIANA

Notice is hereby given that on the 24th day of January, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill: No. G-78-01-20 - GENERAL ORDINANCE NO. G-03-78, being AN ORDINANCE changing Councilmatic District from No. 3 to Councilmatic District No. 4 for the area described in Annexation Ordinance No. X-09-68.

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WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 31st day of January, 1978.

Charles W. Westerman
City Clerk

Copies of said Bill No. G-78-01-20 — General Ordinance No. G-03-78 and Bill No. Z-77-11-02 — Zoning Map Ordinance No. Z-02-78, are posted in the following public places in Fort Wayne, Allen County, Indiana.

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Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinance in the designated places as stated above on February 6, 1978.

Charles W. Westerman, City Clerk

2-6-13

ATTACH COPY OF
ERTISEMENT HERE

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city / town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

2/6-13/78

V.E. Gerken

Subscribed and sworn to before me this 15th day of February 78

Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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DATA FOR COMPUTING COST

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Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V.E. Gerken

Date February 13, 78

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city/town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

2/6-13/78

V.E. Gerken

Subscribed and sworn to before me this 13th day of February, 78

Notary Public

My commission expires September 22, 1979

ATTACH COPY OF ADVERTISEMENT HERE

public places in Fort Wayne, Indiana, as follows:
(4) The Reference Room in the north end of the main floor in said Downtown Public Library.
(5) The Journal of the Common council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana.

Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinance in the designated places as stated above on February 6, 1978.

Charles W. Westerman, City Clerk
2-6-13